

EXHIBIT A

From: Michael Madaio <mmadaio@habbalaw.com>
Sent: Thursday, November 17, 2022 2:39 PM
To: Shawn G. Crowley
Cc: Roberta Kaplan; Joshua Matz; Matthew Craig; Peter Swift; Peter Gabra; Alina Habba, Esq.
Subject: RE: Carroll v. Trump, 20-cv-7311 (LAK) -- Scheduling

This email was sent from outside the Firm.

Counsel:

We will not agree to set any deadlines or make any stipulations regarding the 'second action,' which has not yet been filed and was never discussed on our call. Per our conversation, your firm agreed that, in lieu of defendant filing a motion to stay to the Second Circuit, the parties would jointly request Judge Kaplan to adjourn all proceedings in the pending SDNY action to either: (i) a date a few months out, which will likely allow sufficient time for the D.C. Court of Appeals to render a decision; or (ii) the date of the issuance of the D.C. Court of Appeals' order. You stated that you preferred an adjournment over of a stay because additional filings would be necessary to lift a stay. No mention was made of the second action or proposing a schedule which effectively consolidates the two actions.

As for the schedule you propose, we slightly adjusted the dates you proposed with respect to the present action and removed any reference to the second action. Thus, we propose submitting the following scheduling order to Judge Kaplan:

Deadline	Current Date	Proposed Date
Joint Pretrial Order and Any Summary Judgment Motions in Current Action	Dec. 1, 2022	Mar. 2, 2023
Motions in Limine in Current Action	Dec. 8, 2022	Mar. 9, 2023
Exchange of Pre-marked Trial Exhibits in Current Action	Dec. 8, 2022	Mar. 9, 2023
Oppositions to Motions in Limine in Current Action	Dec. 15, 2022	Mar. 16, 2023
Trial	Feb. 6, 2023	May 8, 2023

Alternatively, we remain willing to tie the scheduling order to the date the D.C. Court of Appeals issues its decision. Please confirm that either arrangement works, or provide counter-proposed dates for the present action. Our decision to refrain from filing the motion to stay was, and remains, premised upon this understanding.

Regards,

MICHAEL T. MADAIO, ESQ.

Admitted to Practice in NJ, NY & PA



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From: Shawn G. Crowley <scrowley@kaplanhecker.com>
Sent: Thursday, November 17, 2022 9:20 AM
To: Alina Habba, Esq. <ahabba@habbalaw.com>; Michael Madaio <mmadaio@habbalaw.com>
Cc: Roberta Kaplan <rkaplan@kaplanhecker.com>; Joshua Matz <jmatz@kaplanhecker.com>; Matthew Craig <mcraig@kaplanhecker.com>
Subject: Carroll v. Trump, 20-cv-7311 (LAK) -- Scheduling

Counsel:

To facilitate a productive conference on Tuesday, we intend to file a letter later today with the below proposed schedule for the Court's consideration. We believe this schedule would allow us to proceed with both cases as efficiently as possible, and obviate the need to seek a stay. Please let us know if you have any comments.

Regards,

Shawn

Deadline	Current Date	Proposed Date
Plaintiff's Complaint in Second Action	N/A	Nov. 24, 2022
Defendant's Responsive Pleading in Second Action	N/A	Dec. 23, 2022
Rule 26(a) Initial Disclosures in Second Action <i>Only required insofar as there is new information to disclose in connection with new issues raised by Second Action</i>	N/A	Dec. 23, 2022
Expert Reports in Second Action <i>Limited to new issues raised by Second Action</i>	N/A	Jan. 9, 2023
Written Discovery Requests in Second Action <i>Limited to new issues raised by Second Action</i>	N/A	Jan. 9, 2023
Rebuttal Expert Reports in Second Action	N/A	Jan. 23, 2023
Responses to Written Discovery in Second Action	N/A	Jan. 23, 2023
Close of Discovery in Second Action	N/A	Jan. 30, 2023
Joint Pretrial Order and Any Summary Judgment Motions in Both Actions	Dec. 1, 2022	Feb. 9, 2023
Motions in Limine in Both Actions	Dec. 8, 2022	Feb. 16, 2023
Exchange of Pre-marked Trial Exhibits in Both Actions	Dec. 8, 2022	Feb. 16, 2023
Oppositions to Motions in Limine in Both Actions	Dec. 15, 2022	Feb. 23, 2023

Deadline	Current Date	Proposed Date
Trial	Feb. 6, 2023	Apr. 10, 2023

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